

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

Plaintiff,

Case No.

v.

**GLOCK GMBH 43X PISTOL CAL:9  
S/N BSET218**

Defendant.

**COMPLAINT FOR FORFEITURE IN REM**

Plaintiff, United States of America, by its attorneys, Teresa A. Moore, United States Attorney for the Western District of Missouri, and Leigh Farmakidis, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

**NATURE OF THE ACTION**

1. This is an action to forfeit property to the United States for violations of 18 U.S.C. § 922(g)(9).

**THE DEFENDANT IN REM**

2. The defendant Glock GMBH 43x pistol Cal:9, s/n BSET218 (“defendant property”) was seized on May 9, 2022, in Springfield, Green County, Missouri. The Defendant Firearm is presently in the custody of the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) in the Western District of Missouri.

**JURISDICTION AND VENUE**

3. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1335(a). This Court also has jurisdiction over this particular action under 18 U.S.C. § 924(d).

4. This Court has *in rem* jurisdiction over the defendant property pursuant to 28 U.S.C. § 1335(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district, and pursuant to 28 U.S.C. § 1335(b)(1)(B), incorporating 28 U.S.C. § 1395, because the defendant property is found in this district.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1335(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district and pursuant to 28 U.S.C. § 1395, because the action accrued in this district and the defendant property is found in this district.

### **BASIS FOR FORFEITURE**

6. The Defendant Firearm is subject to forfeiture pursuant to 18 U.S.C. § 924(d) because it was used or involved in a violation of 18 U.S.C. §922(g)(9), that is, it is unlawful for any person who has been convicted in any court of a misdemeanor crime of domestic violence to possess in and affecting commerce, any firearm or ammunition.

### **FACTS**

7. On January 14, 2022, Tavolas Bebout-Wade (“Bebout-Wade”) pleaded guilty to the misdemeanor of fourth-degree domestic assault in Green County, Missouri, case number 2131-CR01191-01.

8. The conviction is as a misdemeanor crime of domestic violence, and Bebout-Wade is therefore prohibited from possessing in or affecting commerce any firearm or ammunition which has been shipped or transported in interstate or foreign commerce pursuant to 18 U.S.C § 922(g)(9).

9. On or about May 9, 2022, the United States Federal Probation Parole conducted a search of a residence belonging to Antowan L. Wade.

10. Upon the investigators’ entry of the residence, Bebout-Wade retrieved a fanny pack from inside the residence and attempted to leave.

11. Bebout-Wade told investigators that the fanny pack contained a pistol.
12. The fanny pack was removed from Bebout-Wade inside the residence, and Bebout-Wade left the residence.
13. The defendant property was located inside the fanny pack.
14. The defendant property was examined by an interstate nexus expert who has opined that if the defendant property was received and/or possessed in the State of Missouri, it traveled in or affected interstate and/or foreign commerce.

### **CLAIM FOR RELIEF**

15. The Plaintiff repeats and incorporates by reference the paragraphs above.
16. By the foregoing and other acts, the defendant Glock GMBH 43x pistol Cal:9, s/n BSET218 is subject to forfeiture pursuant to 18 U.S.C. §924(d) because it is unlawful for any person who has been convicted in any court of a misdemeanor crime of domestic violence to possess, in and affecting commerce, any firearm or ammunition.

WHEREFORE the United States prays that the defendant property be forfeited to the United States, that the plaintiff be awarded its costs and disbursements in this action, and for such other and further relief as the Court deems proper and just.

Teresa A. Moore  
United States Attorney

By

/s/ Leigh Farmakidis  
Leigh Farmakidis  
Assistant United States Attorney  
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## VERIFICATION

I, Special Agent Jerry Wine, hereby verify and declare under penalty of perjury that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives, that I have read the foregoing Verified Complaint *in Rem* and know the contents thereof, and that the factual matters contained in paragraphs seven through 14 of the Verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the Bureau of Alcohol, Tobacco, Firearms & Explosives.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated: 12/2/22

  
Digitally signed by JERRY  
WINE  
Date: 2022.12.02  
11:21:51 -06'00'

Jerry Wine  
Special Agent  
Bureau of Alcohol, Tobacco  
Firearms & Explosives